# **EXHIBIT 49**

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COUNTY OF NEW YORK	)	

### **CERTIFICATION**

This is to certify that the attached translation is, to the best of my knowledge and belief, a true and accurate translation from Portuguese into English of the attached document with Bates Nos. EIG KEP 00000142-EIG KEP 00000144.

> Lynda Green, Senior Managing Editor Lionbridge

Sworn to and subscribed before me

day of September, 20 24.

JEFFREY AARON CURETON NOTARY PUBLIC-STATE OF NEW YORK No. 01CU6169789 Qualified in New York County

My Commission Expires 09-23-2023

#### Case 1:18-cv-01047-PGG-RWL Document 155-79 Filed 09/12/23 Page 3 of 9

From: Kevin Corrigan < Kevin.Corrigan@eigpartners.com>

Sent: Wednesday, October 5, 2011 3:11 PM

To: Blair Thomas <Blair.Thomas@eigpartners.com>

Cc: Kurt Talbot < Kurt. Talbot@eigpartners.com >; Randall Wade

<Randall.Wade@eigpartners.com>; Kevin Lowder <Kevin.Lowder@eigpartners.com>;

Simon Hayden <Simon.Hayden@eigpartners.com>

**Subject**: FW: Bidding Process for new rigs for Petrobras

The e-mail below was sent by João Ferraz, CEO of Sete Brasil, in response to a headline in today's "Valor Economico" (the same paper that carried the article on EIG several weeks ago) declaring "Ocean Rig surprises and wins bid." He goes on to note that submission of the bids is the first step of a long process that includes further negotiations with Petrobras, and approval by Petrobras' Board before any contracts are signed. He confirms Kevin L's earlier reports on the results of the bids: two bids from Sete Brasil for 6 semi-submersibles and 15 drillships, and one bid from Ocean Rig for five drillships. The average day rate of all three proposals was \$619K/ day. While declaring that all three proposals are close, he acknowledges that Ocean Rig presents a small advantage over Sete's drillship bid, and in third place is Sete's bid for the semi-submersibles.

He says a worst case scenario, which he considers unlikely, will result in an award of 15 drillships to Sete (and no ss). Nevertheless, they are "preparing to question Petrobras about certain factors concerning our competitor, Ocean Rig, both in terms of the premises underlying the bid as well as their qualifications as a bidder. Despite those questions representing imponderables, and in some aspects even being subjective (??), there exists a real possibility that Ocean Rig could be disqualified even before the phase of negotiations on prices and commercial conditions is reached with Petrobras. Despite this being a possible scenario (the dismissal of Ocean Rig)we are preparing ourselves to be even more aggressive in the next phase (negotiations) with a view to achieving conditions that are both doable for Sete and its shareholders and practically unbeatable by our competitor." This was the most defensive paragraph, and I'm not sure why he felt it was necessary..

He finalizes by noting that these phases take time, but that he does not believe there will be a change to the earlier timetable (which I believe foresees signing contracts in January).

Any questions, please let me know.

Thanks, Kevin

From: Joao Ferraz [mailto:joao.ferraz@setebr.com] Sent: Wednesday, October 05, 2011 12:11 PM

**To:** Aldo Floris; Kevin Corrigan **Cc:** luiz.reis@lakeshorepartners.com.br

Subject: FW: Bidding Process for new rigs for Petrobras

Dear Future Quotaholders,

I would like to provide you, for your information, a copy of the e-mail sent today to the current quotaholders and shareholders of Sete Brasil

I am at your disposal to provide you with more details, if necessary.

Regards,



João Carlos de Medeiros Ferraz Dretor Presidente - CEO

Tel./Fax: +55 21 2528-0080 joac.ferraz@setebr.com www.setebr.com

From: Joao Ferraz [mailto:joao.ferraz@setebr.com]

Sent: Wednesday, October 5, 2011 1:08 PM

To: 'newton@petros.com.br'; 'Ricardo Pavie'; 'manuelam@petros.com.br'; 'Umberto Conti'; 'José Filho'; 'Fernando

Jorge Buso Gomes'; 'Marcelo Hudik Furtado de Albuquerque'; 'Lucas Caulliraux Martinelli';

'oderval.duarte@btqpactual.com'; 'adriana@previ.com.br'; 'edson@previ.com.br'; 'marcella.sleiman@vale.com'; 'marcia.freire@vale.com'; 'karlla.senna@vale.com'; 'Luiz Fontoura de Oliveira Reis Filho'; 'lcantidio@santander.com.br'

Cc: Isabela Faria (isabela.faria@setebr.com)

Subject: Bidding Process for new rigs for Petrobras

Dear Sete Brasil Shareholders and FIP Sondas Quotaholders,

I would like to update you on the subject line above. First of all, regarding the news published in the headline of today's Valor Econômico newspaper ("Oce[an]rig surprises and wins bid"), I would like to reassure you and alert you that the bid is still far from being concluded, that is, there is no way to define a "winner" of it today. Additionally, the participation of other competitors was not surprising to us, as we had already mapped this and even anticipated it, in addition to the fact that it is highly beneficial to the process that there are other (or even other) bidders. On this specific matter, I would like to provide you with the details in person only.

On October 3, Sete Brasil delivered two proposals to Petrobras, one of them for 6 semi-submergible (SS) units and the other proposal for 15 rig-ship (NS) units. On that occasion, another bidder—the company Ocean Rig—delivered a third bid for 5 NS-type units. The average price of all three proposals submitted was US\$ 619,000 per day.

The phases of the bidding that follow are:

- announcement by Petrobras of approved bidders with respect to their qualification;
- deadline for objection by either party with respect to Petrobras' announcement;
- defense of the possibly challenged party;
- Petrobras' decision regarding the entire challenge and defense process;
- initial ranking of proposals;
- negotiation between Petrobras and each classified bidder for better conditions;
- final classification of proposals by the bidding committee;
- approval by the Petrobras Board of Directors of the results of the final classification proposed by the bidding committee;
- signing of contracts.

At this point, before any price negotiation phase, and according to the technical/commercial judgment criteria of the proposals, the result suggests a slight advantage for Ocean Rig, our NS proposal in second place (right behind) and in third place is our SS proposal, but all 3 are very close.

According to our assessment of the current process and the "spaces" we left in our bids, we are very confident that we have yet to finish the bidding with our two bids in first place. In the worst-case scenario, although in our opinion it is unlikely, we will only do the 15 NS rigs.

However, since yesterday, we have been preparing to ask Petrobras about certain considerations of our competitor Ocean Rig, both with respect to its premises for meeting the object of the bidding process and its own qualification as an authorized bidder. Although these questions are imponderable and in some respects

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even subjective, there is a real possibility that Ocean Rig will be disqualified even before the negotiations phase for prices and commercial conditions that are more favorable to Petrobras. Despite this being a possible scenario, we are preparing to be even more aggressive in the next phase (negotiations) aiming to reach conditions that are at the same time feasible for Sete Brasil and its partners and practically unbeatable for our competitor.

I would like to emphasize that, as we have previously reported, all of these phases are naturally lengthy and we do not anticipate that this process will be concluded in the short term, keeping our previously indicated deadlines unchanged.

This is what we have now and I will be available to everyone to provide more information that may be available, in a way that does not jeopardize the security and confidentiality necessary in order to facilitate our greatest objective: maximize the number of rigs to be contracted by Petrobras

Yours sincerely,



João Carlos de Medeiros Ferraz Diretor Presidente - CEO

Tet./Fax: +65 21 2528-0080 joao.ferraz@setebr.com www.setebr.com

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**From:** Kevin Corrigan < Kevin.Corrigan@eigpartners.com >

Sent: Wednesday, October 5, 2011 3:11 PM

**To:** Blair Thomas < Blair. Thomas @eigpartners.com >

Cc: Kurt Talbot < Kurt. Talbot@eigpartners.com >; Randall Wade

<Randall.Wade@eigpartners.com>; Kevin Lowder < Kevin.Lowder@eigpartners.com>;

Simon Hayden <Simon. Hayden@eigpartners.com>

**Subject:** FW: Processo de Licitação das novas sondas para a Petrobras

The e-mail below was sent by João Ferraz, CEO of Sete Brasil, in response to a headline in today's "Valor Economico" (the same paper that carried the article on EIG several weeks ago) declaring "Ocean Rig surprises and wins bid." He goes on to note that submission of the bids is the first step of a long process that includes further negotiations with Petrobras, and approval by Petrobras' Board before any contracts are signed. He confirms Kevin L's earlier reports on the results of the bids: two bids from Sete Brasil for 6 semi-submersibles and 15 drillships, and one bid from Ocean Rig for five drillships. The average day rate of all three proposals was \$619K/ day. While declaring that all three proposals are close, he acknowledges that Ocean Rig presents a small advantage over Sete's drillship bid, and in third place is Sete's bid for the semi-submersibles.

He says a worst case scenario, which he considers unlikely, will result in an award of 15 drillships to Sete (and no ss). Nevertheless, they are "preparing to question Petrobras about certain factors concerning our competitor, Ocean Rig, both in terms of the premises underlying the bid as well as their qualifications as a bidder. Despite those questions representing imponderables, and in some aspects even being subjective (??), there exists a real possibility that Ocean Rig could be disqualified even before the phase of negotiations on prices and commercial conditions is reached with Petrobras. Despite this being a possible scenario (the dismissal of Ocean Rig)we are preparing ourselves to be even more aggressive in the next phase (negotiations) with a view to achieving conditions that are both doable for Sete and its shareholders and practically unbeatable by our competitor." This was the most defensive paragraph, and I'm not sure why he felt it was necessary.

He finalizes by noting that these phases take time, but that he does not believe there will be a change to the earlier timetable (which I believe foresees signing contracts in January).

Any questions, please let me know.

Thanks, Kevin

**From:** Joao Ferraz [mailto:joao.ferraz@setebr.com] **Sent:** Wednesday, October 05, 2011 12:11 PM

To: Aldo Floris; Kevin Corrigan

**Cc:** luiz.reis@lakeshorepartners.com.br

Subject: ENC: Processo de Licitação das novas sondas para a Petrobras

Prezados Futuros Quotistas.

Gostaria de apresentar-lhes para seu conhecimento, cópia de e-mail enviado hoje aos acionistas e quotistas atuais da Sate Brasil

Estarei a sua disposição para apresentar-lhes mais detalhes, caso necessário

SDS,



João Cartos de Medeiros Ferraz Oretor Presidente - CEO

Tet/Fax: +55 21 2528-0090 joao.ferraz@seteor.com www.seteor.com

**De:** Joao Ferraz [mailto:<u>joao.ferraz@setebr.com</u>] **Enviada em:** quarta-feira, 5 de outubro de 2011 13:08

**Para:** 'newton@petros.com.br'; 'Ricardo Pavie'; 'manuelam@petros.com.br'; 'Umberto Conti'; 'José Filho'; 'Fernando Jorge Buso Gomes'; 'Marcelo Hudik Furtado de Albuquerque'; 'Lucas Caulliraux Martinelli';

'<u>oderval.duarte@btgpactual.com</u>'; '<u>adriana@previ.com.br</u>'; '<u>edson@previ.com.br</u>'; '<u>marcella.sleiman@vale.com</u>'; '<u>marcia.freire@vale.com</u>'; '<u>karlla.senna@vale.com</u>'; 'Luiz Fontoura de Oliveira Reis Filho'; '<u>lcantidio@santander.com.br</u>'

**Cc:** Isabela Faria (<u>isabela.faria@setebr.com</u>)

Assunto: Processo de Licitação das novas sondas para a Petrobras

Prezados Acionistas da Sete Brasil e Quotistas do FIP Sondas,

Sirvo-me da presente para atualizá-los acerca do assunto em referência. Antes de mais nada, acerca das notícias veiculadas na manchete do jornal Valor Econômico de hoje ("Ocenarig surpreende e vence licitação"), gostaria de tranquilizá-los e alertá-los que a licitação ainda está bem longe de ser concluída, ou seja, não há como definir hoje um "vencedor" para a mesma. Adicionalmente, não foi surpresa para nós a participação de outros concorrentes, pois de um lado já havíamos mapeado esse movimento e até nos antecipado em relação a ele, além de ser altamente salutar ao processo que exista outro (ou até outros) licitantes. Sobre esse assunto específico, gostaria de me reservar a apresentar-lhes detalhes apenas pessoalmente.

No último dia 3/10 a Sete Brasil entregou duas propostas à Petrobras, uma delas contemplando 6 unidades do tipo Semi-submessível (SS) e a outra proposta contendo 15 unidades do tipo navio-sonda (NS). Na oportunidade outro licitante — a empresa Ocean Rig - entregou uma terceira proposta contemplando 5 unidades do tipo NS. O preço médio de todas as três propostas apresentadas foi de US\$ 619 mil por dia.

As fases da licitação que se seguem são:

- anúncio pela Petrobras dos licitantes aprovados quanto à sua qualificação;
- prazo para impugnação por parte de qualquer das partes quanto ao anúncio da Petrobras;
- defesa da parte eventualmente impugnada;
- decisão da Petrobras quanto a todo o processo de impugnação e defesa;
- classificação inicial das propostas;
- negociação entre Petrobras e cada licitante classificado para obtenção de melhores condições;
- classificação final das propostas pela comissão de licitação;
- aprovação pela Diretoria da Petrobras quanto ao resultado da classificação final proposta pela comissão de licitação;
- assinatura dos contratos.

Nesse momento, antes de qualquer fase de negociação de preços, e de acordo com os critérios de julgamento técnico/comercial das propostas, o resultado aponta uma leve vantagem para a Ocean Rig, a nossa proposta de NS em segundo (logo atrás) e em terceiro a nossa proposta de SS, porém todas as 3 muito parelhas.

De acordo com nossa avaliação do processo atual e dos "espaços" que deixamos em nossas propostas, temos muita confiança que ainda deveremos terminar a licitação com nossas duas propostas em primeiro lugar. No pior cenário, apesar de a nosso ver pouco provável, faremos apenas as 15 sondas tipo NS.

No entanto, estamos desde ontem nos preparando para questionar a Petrobras quanto a determinadas considerações de nosso concorrente Ocean Rig, tanto em relação às suas premissas para atendimento ao objeto da licitação quanto à sua própria qualificação como licitante habilitado. Apesar dessas questões serem imponderáveis e, em alguns aspectos

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até subjetivas, existe uma possibilidade real da Ocean Rig vir a ser desqualificada antes mesmo da fase de negociações de preços e condições comerciais mais favoráveis à Petrobras. Apesar deste ser um cenário possível, estamos nos preparando para sermos ainda mais agressivos na fase seguinte (negociações) objetivando chegarmos a condições ao mesmo tempo factíveis para a Sete Brasil e seus sócios e praticamente imbatíveis por nosso concorrente.

Desde já enfatizo que, como já havíamos relatado anteriormente, todas essas fases são naturalmente longas e não prevemos que esse processo venha a ser concluído no curto prazo, mantendo inalterados os nossos prazos previamente indicados.

Sendo o que tínhamos para o momento, estarei à disposição de todos para prestarmos maiores informações que venham a ser possíveis de serem disponibilizadas neste momento, de uma forma em que não venham a colocar em risco a segurança e sigilos necessários a fim de facilitar nosso maior objetivo: maximizar a quantidade de sondas a serem contratadas pela Petrobras

Atenciosamente,



João Cartos de Medeiros Ferraz